

DECLARATION OF FRANKLIN E. ZIMRING

I, Franklin E. Zimring, declare as follows:

1. My current academic appointment is William G. Simon Professor of Law, Wolfen Distinguished Scholar and Chair of the Criminal Justice Research Program at the University of California, Berkeley. I have been studying the relationship between firearms and violence, strategies of firearms control, and patterns of gun commerce and civilian gun usage since 1967. I have served as director of research of the task force on firearms of the National Commission on the Causes and Prevention of Violence in 1968-1969 and as a firearms and federal criminal law expert for the National Commission on Reform of Federal Criminal Laws. I have published several empirical studies of firearms and violence and on gun control, and I have co-authored three books with firearms issues at their center, in 1969, 1986 and 1997. I have served as an expert both on the relationship between firearms and violence and on the design and evaluation of firearms control. I am providing expert opinions on both of these topics in this declaration. I was elected a Fellow of the American Academy of Criminology in 1993 and to the American Academy of Arts and Sciences in 1990. A full curriculum vitae is Appendix A of this declaration.

2. This declaration will summarize the empirical evidence and my expert opinions concerning four issues arising out of this litigation.

(1) The relationship between firearms and violence and the governmental interest in reducing the rate of gun use in crime.

(2) The particular governmental concerns with handguns and other concealable weapons because of their disproportionate involvement in life-threatening crimes of violence, particularly in streets and other public places.

(3) The special threat posed by concealed handguns as weapons used by criminals in streets and other public spaces. Persons using the streets

1 cannot avoid and police patrolling the streets cannot detect persons who
2 carry concealed handguns and later will find victims who are at risk when
3 concealed guns are displayed in robberies or assaults and not infrequently
4 discharged. The governmental interest in limiting the number of persons
5 licensed to carry weapons hidden on their persons in public places is
6 substantially related to reducing the volume and deadliness of street
7 robberies and assaults.

8 (4) A robust right to own a handgun in the privacy of one's own
9 home imposes whatever risks the gun poses on the owner and his family and
10 those who choose to visit those premises as long as the gun stays home. But
11 unlimited freedom given to a person to carry a hidden handgun on the
12 streets subjects everybody else on the street to whatever risks that gun may
13 pose, and the others on the public fare have neither notice of the risk nor
14 power to control it. This "externality" of unrestricted street carrying of
15 concealed weapons is probably the root cause of the longstanding and
16 broadly based history of restricting use of concealed weapons in public
17 places.

18 Firearms and the Death Rate from Violence.

19 3. The overlap between firearms and crime in the United States is a
20 partial but important one. Of all so-called "index" crimes reported to the police
21 nationwide (willful homicide, forcible rape, robbery, burglary, aggravated assault,
22 larceny over \$50, motor vehicle theft, and arson), guns are known to be involved
23 in only about 4%. But gun use is concentrated in violent crime, where about 20%
24 of all offenses involve guns. And when only criminal acts that kill are counted,
25 guns account for almost 70% of all cases. Why are gun cases seven out of every
26 ten lethal crimes, if firearms are used in only one out of five violent criminal acts?
27 Commonsense suggests that the greater dangerousness of guns when compared to
28 other frequently used instruments of attack such as knives and blunt instruments,

1 plays a major role in increasing the death rate from crimes, but there is an
2 alternative hypothesis, that robbers and assaulters who truly want to kill will
3 choose guns more often, and therefore that the greater death rate simply reflects
4 the more lethal intentions of those who use guns. Which theory is better supported
5 by studying patterns of violent assault?

6 4. A series of studies that were conducted under my supervision
7 addressed this issue from 1967 to 1988. The first study compared knife and gun
8 attacks in Chicago over four police periods in 1967. I found that when one only
9 compared gun and knife assaults to the same part of the body and controlled for
10 the number of wounds inflicted, the gun attacks were five times as likely to kill.¹
11 Yet knives were the second most deadly instruments used in violent assault. A
12 second study found that guns that fired smaller bullets were much less likely to kill
13 than guns firing larger bullets, again controlling for both the number of and the
14 location of the most life-threatening wound. The central finding was that
15 instrumentality effects – the influences of weapon dangerousness independent of
16 measurable variations in the attacker's intent was an important influence in the
17 death rate from assault.²

18 5. A second set of studies generated the same general results for the
19 weapons used in robberies. Since the robber usually doesn't mean to inflict harm
20 if his demands are met, the death rate from all forms of robbery is much lower than
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22 ¹ Zimring, Franklin E. "Is Gun Control Likely to Reduce Violent Killings?"
23 *University of Chicago Law Review* 35:721 (1968).

24 ² Zimring, Franklin E. "The Medium is the Message: Firearms Caliber as a
25 Determinant of the Death Rate from Assault," *Journal of Legal Studies* 1:97 (1972).
26 See Philip J. Cook, "The Technology of Personal Violence," *Crime and Justice* 14:1
27 (1991).
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1 from aggravated assault, but robberies with firearms are much more likely to
2 produce a victim's death than robberies using knives or personal force.³ The
3 availability of guns may or may not influence the rate of robberies, but the
4 proportion of robberies that involve guns will have a major impact on the number
5 of victims who die in robberies, and lethal robberies are a major element in the
6 life-threatening violence that sets U.S. cities apart from the major metropolitan
7 areas of other developed nations.

8 6. The governmental interest in restricting the use of guns in violent
9 crime is in reducing the number of deaths and life-threatening injuries that are
10 produced when guns rather than less deadly weapons became instruments of
11 robbery and assault. This interest is clear, appropriate and important for both the
12 State of California and the County and City of Los Angeles.

13 The Special Risks of Handguns.

14 7. All forms of firearms are very dangerous to life if they are used in
15 assaults and robberies, but the handgun is the major hazard, particularly in big
16 cities, because handguns are much more likely to be used in criminal violence than
17 shotguns and rifles. Handguns are slightly more than one-third of all firearms
18 owned by civilians in the United States, but they are used in more than 75% of all
19 gun killings and in even larger portions of robberies. The handgun is small, easy
20 to carry and conceal, and deadly at short range. Handguns are the priority concern
21 of law enforcement everywhere.⁴

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24 ³ Zimring, Franklin E. and James Zuehl. "Victim Injury and Death in Urban
25 Robbery: A Chicago Study," *Journal of Legal Studies* 15:1 (1986).

26 ⁴ Zimring, Franklin E. and Gordon Hawkins. *Crime Is Not the Problem:*
27 *Lethal Violence in America*, New York: Oxford University Press (1997), Chapters
28 1, 3 and 7. See also Zimring, Franklin E. and Gordon Hawkins, *The Citizen's Guide*
to Gun Control, New York: McMillan (1986), at Chapter 5, p. 38.

1 8. The special dangers of handgun use in violence have produced a wide
2 variety of different legal strategies to minimize the rate of handgun misuse. Many
3 nations attempt to restrict both the number of such firearms owned by citizens and
4 reasons why citizens might be permitted to own them. But California, like most
5 U.S. states, allows competent adults to own handguns if they have no major record
6 of criminal conviction.

7 9. Because California does not restrict eligibility of most citizens to own
8 handguns or the volume of guns owned, the state's first line of defense against the
9 use of such weapons in street crime is a series of restrictions on the time, place and
10 manner of handgun use. California law prohibits the carrying of concealed deadly
11 weapons in public without a special permit. The state law delegates the authority
12 to establish standards and make individual decisions in Los Angeles to county and
13 city law enforcement and government. The goal here is to distinguish uses of
14 handguns that do not pose a special threat to the public (such as storage and use in
15 the owner's home) from uses that pose greater threats to public safety (such as the
16 carrying of concealed weapons in streets and public places). The special danger of
17 a hidden handgun is that it can be used against persons in public robbery and
18 assault as well as transported to other indoor commercial and residential locations
19 to be used in attacks. The concealment of a handgun means that other citizens and
20 police don't know it is in their shared space until it is brandished. Concealed
21 handguns are a special problem for police because an armed police officer has no
22 warning that persons carrying concealed handguns are doing so. A police officer
23 will be vulnerable to an element of surprise that will not be present if a person is
24 openly carrying a firearm.

25 10. Of course not all of those carrying concealed handguns intend to use
26 them as instruments of public harm. But the existence of a loaded weapon is a
27 hidden danger. California's emphasis on controlling this risky use of guns rather
28 than restricting ownership itself is exactly opposite to the policy formerly pursued

1 by Washington, D.C. and disapproved in the *Heller* decision in 2008. The
2 distinction between restricting ownership and restricting dangerous uses is
3 fundamental in the design of firearms control. And no public law regulation of
4 firearms is as old or as pervasive as restrictions on public space use of firearms.

5 "The earliest and most numerous state and local laws relate to the
6 carrying or use of firearms. In the 1600s, Massachusetts prohibited
7 the carrying of defensive firearms in public places. Kentucky in
8 1813, Indiana in 1819, Arkansas and Georgia in 1837 passed laws
9 prohibiting the carrying of concealed weapons. Many states and
10 most cities today have laws attempting to regulate what has been
11 called the place and manner in which firearms may be carried or
12 used."⁵

13 Almost all places make special rules for concealed handguns in public places.

14 "Most often, state law prohibits the carrying of concealable firearms
15 without a special permit and the discharge of guns within city
16 limits...Forty-nine states now impose some sort of restrictions on
17 carrying a concealed gun."⁶

18 The Public Danger of Concealed Firearms.

19 11. The previous section of this declaration documented the statistical
20 dominance of handguns in life-threatening violence but did not explain it. Why are
21 handguns, a minority of all firearms, responsible for three-quarters of all firearms
22 deaths? Why are handguns the overwhelmingly predominant firearm used in armed
23 robbery?

24 12. This is a matter of simple criminal logistics. Most firearms assaults
25 and almost all firearms robberies take place outside the offender's home, so that

26 ⁵ Newton, George and Franklin E. Zimring, *Firearms and Violence in*
27 *American Life*, staff report submitted to the National Commission on Causes and
28 Prevention of Violence, Washington D.C.: Government Printing Office (1969) at p.
87 (citations in original omitted).

⁶ Zimring, Franklin E. and Gordon Hawkins, *The Citizen's Guide to Gun*
Control (1986) at p. 123. A more recent compendium lists 47 states with special
permits, see www.lcav.org.

1 using a firearm in crime requires transporting it to a non-home location. But
2 carrying a loaded shotgun to a commercial location for a robbery or to somebody
3 else's home or on the street while looking for a target is a warning to potential
4 victims and a red flag to passersby and to any law enforcement personnel that the
5 armed pedestrian is not on an ordinary errand. Other pedestrians and motorists can
6 avoid the visibly armed person and police can ask questions and subject the visibly
7 armed person to identity checks and surveillance.

8 13. But the person with a concealed handgun in his pocket generates no
9 special notice until the weapon appears at his criminal destination. The robber or
10 assaulter looks no different from any other user of common public spaces. And this
11 ability to escape special scrutiny is the advantage that makes the concealed handgun
12 the dominant weapon of choice for gun criminals and a special danger to
13 government efforts to keep public spaces safe and secure.

14 14. The necessity of carrying guns to crime sites without detection is one
15 reason why the National Violence Commission research reported that 86% of all the
16 firearms used in all assaults were handguns and an astonishing 96% of all firearms
17 robberies were committed with handguns in the ten large cities the task force
18 surveyed.⁷ What that robbery percentage means is that the problem of gun robbery
19 in American cities is almost exclusively a problem of concealable handguns.

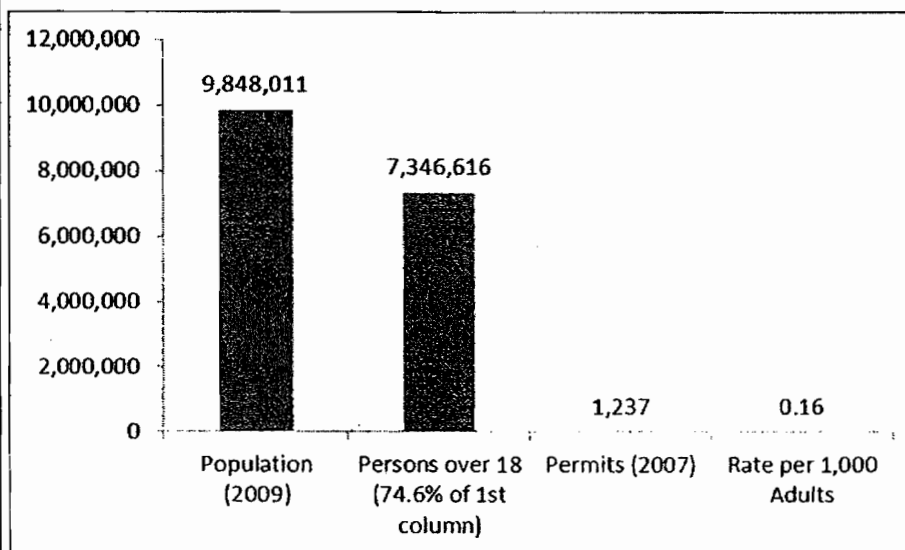
20 15. The stringent requirements that California and Los Angeles County and
21 cities within the county impose on persons wishing to have permits to carry loaded
22 and concealed guns have two strategic objectives. The first and most important is to
23 restrict drastically the number of persons secretly armed on the streets of Los
24 Angeles County.

25 16. Figure 1 shows the current control of the volume of California
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27 ⁷ Newton, George and Franklin E. Zimring (1969), *Firearms and Violence in*
28 *American Life*, at Figure 8-1, p. 49.

1 concealed weapons (CCW) permits and the huge stakes of shifting to the standards
 2 asserted as rights by the plaintiff in this litigation. The current system of CCW
 3 licensing allows citizens in Los Angeles to apply for CCW licenses either to the
 4 county sheriff or to their local police. For this reason, only countywide rates of
 5 licensing can be determined without detail on the city of residence for all who obtain
 6 county licenses. Figure 1 provides countywide population and CCW data.

7 Figure 1. Population and Licenses to Carry in Los Angeles County.



18 Sources: population (U.S.Census Bureau, State and County Quickfacts, Los Angeles
 19 County, California, available at
 20 <http://quickfacts.census.gov/qfd/states/06/06037.html>); permits (California
 21 Department of Justice, CCW Counts by County, 2000 through 2007, available at
 22 <http://ag.ca.gov/firearms/forms/pdf/ccwissuances2007.pdf>)

23 17. The rate per thousand adults of CCW permits is .16, indicating that
 24 fewer than one of every 5,000 adults holds a permit. By contrast, a system where all
 25 persons without felony convictions, convictions for domestic violence crime or
 26 involuntary mental health commitments would make more than 90% of Los Angeles
 27 adults eligible for permits. That would be just under seven million potential
 28 carriers.

18. Making the carrying of hidden deadly weapons into a very rare

1 privilege enables citizens not to worry that they must choose between carrying a gun
2 themselves or being unarmed in public spaces where many strangers are secretly
3 armed. Restricting the publicly entitled carriers of concealed handguns to a tiny
4 number also reinforces the practical monopoly of armed force by the police. And
5 the police are one of the primary groups protected by small rates of carrying
6 concealed guns since more than 90% of killings of police are with guns.⁸

7 19. The special vulnerability of police to weapons concealed on a person is
8 the element of surprise in the event of an attack. An openly carried firearm is a
9 special danger to an officer, but it is a known danger. The police officer can be
10 prepared to draw or use his weapon when a weapon is on display. But the person
11 carrying a concealed handgun is a hidden danger to an officer. High rates of
12 carrying concealed weapons put the police on the horns of a dangerous dilemma—
13 either they (1) make no assumptions about persons being armed (in which case they
14 are surprised and at a disadvantage when a concealed weapon is drawn) or (2)
15 assume everybody is carrying a loaded gun in which case they will be much quicker
16 to draw and fire their own guns even if no weapons are in fact held by the person
17 being approached. So once a high rate of CCW takes place, the relationship
18 between armed police and citizens without any visible evidence of carrying guns
19 will get more dangerous for the police, for the citizen, or for both.

20 20. The second strategic aim of a permit-to-carry requirement is to screen
21 those persons who do have special needs for concealed guns to make sure they will
22 not misuse the guns they carry. This kind of risk screening explains the good
23 character, minimum age and lack of criminal record requirements. But the central
24 reason to require a good reason for needing a gun is to reduce the number of secretly
25 armed citizens on the streets and sidewalks of one of the biggest urban areas in the

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27 ⁸ U.S. Department of Justice, Federal Bureau of Investigation, *Law*
28 *Enforcement Officers Killed and Assaulted* (2008), Table 27.

1 United States.

2 21. There is one factual dispute of central importance in the distinction
3 between small and large volumes of CCW permits—the degree to which criminal
4 conduct is concentrated among formally identified felons. It is sometimes claimed
5 that simply excluding former felons would prevent persons with high risks of future
6 crime from being eligible to carry hidden handguns. This claim is false. A majority
7 of criminal homicides and other serious crimes are committed by individuals who
8 have not been convicted of a felony. The first published study on this question
9 found that in Chicago, 57% of those adults arrested for homicide did not have a
10 felony record.⁹

11 22. It has more recently been reported that for all of New York State only
12 33% of all persons arrested for felonies have a felony conviction at the time of
13 arrest. Thus, about two-thirds of current felons would not be prohibited from
14 eligibility under “shall issue” criteria (meaning criteria wherein if a person has no
15 prior felony conviction, domestic violence conviction, or recent psychiatric
16 commitment, said person would automatically be entitled to a CCW permit).¹⁰

17 23. What percentage of the persons committing serious crimes in Los
18 Angeles would be disqualified by reason of a felony conviction from a permissive
19 “right to carry” license standard? Julie Basco of the California Department of
20 Justice supervised an analysis of all 122,948 adult felony arrests in Los Angeles
21 County for 2010 and divided these persons by whether they had a pre-2010 felony
22 conviction. A total of 43,440 subjects had a prior felony that would keep them
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24 ⁹ P.J. Cook, J. Ludwig and A. Braqa, “Criminal Records of Homicide
25 Offenders,” *Journal of the American Medical Association* 294(5), August 3, 2005.

26 ¹⁰ Reported in expert’s declaration of Philip J. Cook in *Kachalsky v. Cacase*,
27 Civil Action 10-cv-5413, Southern District of New York (2011).
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1 from being eligible in a "shall issue" mandate or constitutional rule. Sixty-five
2 percent of Los Angeles County felons do not have a prior felony conviction when
3 arrested. These statistics indicate that Almost 2/3rds of the known current felons
4 would not be screened out by a prior felony from CCW permits without further
5 barriers. We cannot divide the Department of Justice 35% into city and other-
6 county segments, but we are confident that 65% of Los Angeles County's felony
7 suspects are not prior felons: The same general breakdown appears in the
8 statewide New York findings. Los Angeles is part of a general pattern.

9 24. The State of California and the County of Los Angeles believe that it
10 would threaten the public health and safety to have hundreds of thousands of people
11 in the county carrying loaded handguns that the people who share the streets and
12 stores and parks of Los Angeles cannot see.

13 25. Is this public choice consistent with *D.C. v. Heller*'s conferral of a right
14 to handgun ownership under the Second Amendment? Los Angeles has never tried
15 to restrict home possession, so it obviously believes that public places call for
16 different presumptive policies, and history is on Los Angeles' side. Special
17 restrictions on carrying concealed weapons are venerable and almost universal.
18 Even the plaintiff in this suit does not question the legitimacy of a special license for
19 carrying weapons. The central question is whether publicly concealed weapons can
20 be restricted even if possession in the home is protected by *Heller*.

21 The External Dangers of Concealed Weapons in Public Spaces.

22 26. The right of home possession announced in the *Heller* case does not
23 require citizens to purchase and own handguns in their houses but rather confers on
24 individuals the right to decide for themselves if the benefits of gun possession in the
25 home outweigh the risks. So the Second Amendment liberty announced in *Heller*
26 puts the homeowner in a position of power to determine what risks to take. As long
27 as the guns owned in the home stay there, Mr. Smith's gun is no risk to his
28 neighbors. But the presence of loaded and concealed guns in public spaces is an act

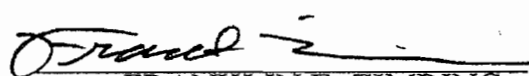
1 where Mr. Smith's decision will generate risks to others who use the streets, and go
2 to public accommodations. And if the guns are concealed, the people who are
3 exposed to these risks won't have notice or any ability to avoid the armed presence
4 they confront.

5 27. This "externality" means that the implications of concealed carrying are
6 spread over the community of users of public space and the only method of deciding
7 policy is a collective determination of whether concealed weapon carrying should be
8 allowed and under what circumstances.

9 28. So government must be involved in public space regulation in a way
10 that is not necessary in the privacy of individual homes. This is why concealed
11 weapons laws are the oldest form of legal regulation of gun use and the most
12 common. There is a public choice that must be made to reduce the number of
13 persons carrying concealed weapons by limiting licenses. But without a general rule
14 on the standard for licenses, there is no way that individual preferences for or
15 against high rates of permits can be translated into a regulatory framework.

16 I declare under penalty of perjury that the forgoing is true and correct.

17 Executed at Berkeley, this 14th of December 2011.

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20 FRANKLIN E. ZIMRING
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FRANKLIN E. ZIMRING

20 October 2011

PERSONAL Born 1942, Los Angeles, California; married; two adult children.

EDUCATION Los Angeles Public Schools; B.A. with Distinction, Wayne State University (1963); J.D. *cum laude*, University of Chicago (1967).

PRESENT POSITION **WILLIAM G. SIMON PROFESSOR OF LAW; WOLFEN DISTINGUISHED SCHOLAR** and **CHAIR**, Criminal Justice Research Program, Institute for Legal Research (formerly the Earl Warren Legal Institute), Boalt Hall School of Law, University of California, Berkeley.

OTHER WORK **Principal Investigator**, Center on Culture, Immigration and Youth Violence Prevention (2005-).

DIRECTOR, Earl Warren Legal Institute (1983-2002).

FACULTY OF LAW, University of Chicago (1967-85): **KARL N. LLEWELLYN PROFESSOR OF JURISPRUDENCE** (1982-85) and **DIRECTOR**, Center for Studies in Criminal Justice (1975-85).

MEMBER, MacArthur Foundation Research Program on Adolescent Development and Juvenile Justice (1997-2007).

FELLOW, Center for Advanced Studies in the Behavioral Sciences, Stanford, California (1979-80).

RAPPORTEUR, Task Force on Sentencing Policy for Young Offenders, Twentieth Century Fund (1978).

VISITING PROFESSOR OF LAW, University of California, Irvine (2004), University of South Africa (1993), University of California, Berkeley (1983-85), Yale University (1973), and University of Pennsylvania (1972).

DIRECTOR OF RESEARCH, Task Force on Firearms, National Commission on the Causes and Prevention of Violence (1968-69).

CONSULTANT: American Bar Foundation, Police Foundation, National Commission on Reform of Federal Criminal Laws, Institute for Defense Analysis, Department of Justice, Rand Corporation, Abt Associates, Federal Parole Commission, Federal Bureau of Prisons, Federal Bureau of Investigation, General Accounting Office, Canadian Institute for Advanced Studies, States of Alaska, California, Nebraska, Illinois, Virginia, and Washington, Cities of Chicago, New York and San Francisco.

ADVISORY POSTS **CURRENT**: Campaign for Youth Justice (2007-); California Attorney General's Office (2001-); National Policy Committee, American Society of Criminology (1989-91 and 1993-); Board of Directors, Illinois Youth Services Association (Honorary) (1977-); Advisory Committee, National Pre-Trial Services Association (1975-).

PAST: Asian Pacific Violence Prevention Center, National Council on Crime and Delinquency (2001-2005); Advisory Committee, Sentencing Project, American Law Institute (2001-2003); Criminal Justice Policy Group, Advisory Board, National Campaign Against Youth Violence (2000-2002); Expert Panel Member, U.S. Department of Transportation, National Highway Traffic Safety Administration Panel on Crash Risk of Alcohol-Involved Driving (1994-2002); Expert Panel Member, U.S. Department of Education Panel on Safe, Disciplined, and Drug-Free Schools (1998-2001); National Research Council Panel on Juvenile Crime: Prevention, Intervention, and Control (1998-2001); Advisory Board, Center on Crime, Communities, and Culture, Open Society Institute (1998-2000); Affiliated Expert, Center for Gun Policy and Research, Johns Hopkins University (1995-98); Gun Violence Advisory Group, American College of Physicians (1995-98); Advisory Committee, Violent and Serious

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Juvenile Offender Project, National Council on Crime and Delinquency (1994-1997); Panel on NIH Research on Anti-Social, Aggressive, and Violence-Related Behaviors and their Consequences (1997-); Task Force on Future Directions for the National Archive of Criminal Justice Data, Bureau of Justice Statistics, Department of Justice (1995); Panel on Antisocial, Aggressive, and Violence-Related Behaviors and Their Consequences, National Institute of Health (1993-94); Panel on Understanding and Control of Violent Behavior, National Research Council, National Academy of Sciences (1989-91); Research Advisory Committee, California Attorney General (1983-1990); Law Enforcement Committee, California Governor's Policy Council on Drug and Alcohol Abuse (1989-91); National Research Council, Working Group Crime and Violence (1985-88); Internal Revenue Service, Advisory Group Taxpayer Compliance Research (1983-87); Board of Directors, Eisenhower Foundation for the Prevention of Violence (1981-84); U.S. Secret Service Advisory Committee on Protection of the President (1981-82); Assembly of Behavioral and Social Sciences, National Academy of Sciences (1977-80); Executive Committee, Illinois Academy of Criminology (1968-71, 1977-78); Advisory Committee, Assessment Center for Alternatives to Juvenile Courts (1977-78) (chairman); Advisory Committee, Law and Social Science Program, National Science Foundation (1976-77); Advisory Committee, Vera Institute of Justice, Court Employment Project Evaluation (1976-77) (chairman); Panel on Deterrence and Incapacitation, National Academy of Sciences (1975-77); Legal Committee, American Civil Liberties Union, Illinois Branch (1967-70).

**EDITORIAL
BOARDS**

CURRENT: Punishment and Society (1998-); Crime and Justice: An Annual Review of Research (1979-90, 1998-); Western Criminology Review (1997-); Buffalo Criminal Law Review (1996-); Homicide Studies (1996-); The Prison Journal (1992-); Journal of Research in Crime and Delinquency (1976-84, 1990-); Federal Sentencing Reporter (1988-); Studies in Crime and Justice (1980-); Journal of Criminal Justice (1978-).

PAST: Law and Society Review (1988-1998); British Journal of Criminology (1988-1996); Journal of Quantitative Criminology (1984-1989); Ethics, (1985-87); Encyclopedia of Crime and Justice (1979-83); Evaluation Quarterly (1976-84); Law and Behavior (1976-85).

HONORS

Edwin H. Sutherland Award, American Society of Criminology (2007); August Vollmer Award, American Society of Criminology (2006); Notable Book of the Year, *The Economist* (2003); Society of Research on Adolescence, Biannual Book Award (2002); Pass Award, National Council on Crime and Delinquency (1999); Donald Cressey Award, National Council on Crime and Delinquency (1995); Choice, Outstanding Academic Book Citation (1995 and 1982); Paul Tappan Award, Western Society of Criminology (1994); Fellow, American Society of Criminology (1993); Distinguished Alumni Award, Wayne State University (1989); Bustin Prize for Legal Research, University of Chicago (1981); Cooley Lecturer, University of Michigan Law School (1980); National Distinguished Alumnus Award, Delta-Sigma-Rho (1977); Ten Law Professors Who Shape the Future, *Time Magazine* (1977); Civilian Award of Merit for 1975, Chicago Crime Commission; Gavel Award Certificate of Merit, American Bar Association (1973).

MEMBER

American Academy of Arts and Sciences (1990-); California Bar Association (1968-); Order of the Coif (1967-); Phi Beta Kappa (1964-).

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BOOKS AND MONOGRAPHS

The City That Became Safe: What New York Teaches About Urban Crime and Its Control, New York: Oxford University Press (October 2011).

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An American Travesty: Legal Responses to Adolescent Sexual Offending, Chicago: University of Chicago Press (2004); paperback edition (2009).

The Contradictions of American Capital Punishment, New York: Oxford University Press (2003); paperback edition (2004); (Chinese translation) Shanghai Joint Publishing (2008); (Italian translation) Società editrice il Mulino, Bologna (2009).

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